

SENTENCE DATA SHEET

CRIMINAL NO.: 15-510

DEFENDANT: GREGG CARL BAIRD

**DEFENDANT'S
IMMIGRATION
STATUS:** U.S.

GUILTY PLEA: Count Three

**SUBSTANCE
OF PLEA
AGREEMENT:** Pursuant to Rule 11(c)(1)(A) & (B)

The defendant agrees to:

- 1) plead guilty to Count Three of the Indictment;
- 2) waive right to appeal and collaterally attack this conviction;
- 3) forfeit property listed in the indictment;
- 4) acknowledge his prior conviction for possession qualifies him for the enhanced punishment range.

The government agrees to:

- 1) not oppose defendant's anticipated request to the Court and the United States Probation Office that he receive a two (2) level downward adjustment of his offense level for acceptance of responsibility as contemplated in U.S.S.G. Section 3E1.1(a);
- 2) if Defendant qualifies for an adjustment under section 3E1.1(a) of the United States Sentencing Guidelines, the United States agrees not to oppose Defendant's request for an additional one-level departure based on the timeliness of the plea or the expeditious manner in which Defendant provided

complete information regarding his/her role in the offense (if Defendant's offense level is 16 or greater);

3) dismiss Counts One and Two at sentencing, if defendant proceeds to plea in accordance with the agreement.

COUNT THREE: Possession of Child Pornography - Title 18, U.S.C. 2252A(a)(5)(B)

ELEMENTS:

1. That the defendant knowingly possessed materials that contained child pornography; and
- 2a. the materials were mailed, shipped, or transported in interstate or foreign commerce, by computer or any other means, or
- 2b. were produced using materials that had been mailed, shipped, or transported in interstate or foreign commerce; and
3. That when the defendant possessed the material, the defendant knew the material was or contained child pornography.

PENALTY: A term of imprisonment of not less than ten (10) years and up to 20 years and a fine of up to \$250,000.

SUPERVISED RELEASE: At least 5 years up to any term of years or Life.

ALTERNATIVE FINE BASED ON GAIN OR LOSS: Not Applicable

SENTENCING

GUIDELINES: Applicable

RESTITUTION: Applicable

**SPECIAL
ASSESSMENT:** \$100 per count of conviction

ATTACHMENT: Plea agreement